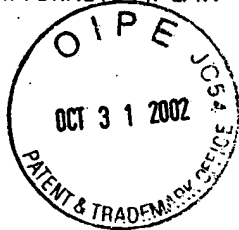


# BEST AVAILABLE COPY



Robert C. Kessler  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbalà  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Lawrence B. Bugaisky  
Donald J. Featherstone  
Michael V. Messinger

Judith U. Kim  
Timothy J. Shea, Jr.  
Patrick E. Garrett  
Jeffrey T. Helvey  
Heidi L. Kraus  
Crystal D. Sayles  
Edward W. Yee  
Albert L. Ferro  
Donald R. Banowitz  
Peter A. Jackman  
Molly A. McCall  
Teresa U. Medler  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Albert J. Fasulo II  
Eldora Ellison Floyd  
W. Russell Swindell

Thomas C. Fiala  
Brian J. Del Buono  
Virgil Lee Beas  
Reginald D. Luc  
Kimberly N. Re  
Theodore A. Wu  
Elizabeth J. Haanes  
Bruce E. Chalker  
Joseph S. Ostroff  
Frank R. Cottingham  
Christine M. Lhulier  
Rae Lynn Prengaman  
Jane Shershenovich  
Lawrence J. Carroll  
George S. Bardmesser  
Daniel A. Klien  
Rodney G. Maze  
Jason D. Eisenberg  
Michael A. Specht

Registered Patent Agents\*  
Karen R. Markowicz  
Andrea J. Kamage  
Nancy J. Leith  
Ann E. Summerfield  
Helene C. Carlson  
Gaby L. Longworth  
Matthew J. Dowd  
Aaron L. Schwartz  
Angelique G. Uy  
Boris A. Matvenko  
Mary B. Tung  
Katrina Y. Pei  
Bryan L. Skelton  
Robert A. Schwartzman  
John J. Figueroa  
Timothy A. Doyle  
Jennifer R. Mahalingappa

Senior Counsel  
Samuel L. Fox  
Kenneth C. Bass III  
Lisa A. Dunner

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Admitted only in Texas  
\*Practice Limited to  
Federal Agencies

October 31, 2002

WRITER'S DIRECT NUMBER:  
(202) 371-2543

INTERNET ADDRESS:  
AKAMAGE@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

Art Unit 1646

Re: U.S. Utility Patent Application  
Appl. No. 09/842,256; Filed: April 26, 2001  
For: **Transcriptional Intermediary Factor-2**  
Inventors: Chambon *et al.*  
Our Ref: 1383.0130002/EKS/AJK

RECEIVED

NOV 01 2002

TECH CENTER 1600/2900

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement;
2. Second Preliminary Amendment; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Andrea Jo Kamage*

Andrea Jo Kamage  
Agent for Applicants  
Registration No. 43,703

Enclosures

::ODMA\MHODMA\SKGF\_DC1;70220;1

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com



63

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chambon *et al.*

Appl. No. 09/842,256

Filed: April 26, 2001

For: **Transcriptional Intermediary  
Factor-2**

Confirmation No. 7887

Art Unit: 1646

Examiner: Pak, M.D.

Atty. Docket: 1383.0130002

**Reply To Restriction Requirement**

**RECEIVED**

Commissioner for Patents  
Washington, D.C. 20231

NOV 01 2002

TECH CENTER 1600/2900

Sir:

In reply to the Office Action dated October 1, 2002, requesting an election of one invention to prosecute in the above-referenced patent application, Applicant hereby provisionally elects to prosecute the invention of Group I, represented by claims 21-42, which are added in a Second Preliminary Amendment submitted herewith. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made without traverse.

Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions

of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Andrea Jo Kamage  
Agent for Applicants  
Registration No. 43,703

Date: 10/31/02

1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chambon *et al.*

Appl. No. 09/842,256

Filed: April 26, 2001

For: **Transcriptional Intermediary  
Factor-2**

Confirmation No.: 7887

Art Unit: 1646

Examiner: Pak, Michael D.

Atty. Docket: 1383.0130002

**Second Preliminary Amendment**

**RECEIVED**

NOV 01 2002

Commissioner for Patents  
Washington, D.C. 20231

**TECH CENTER 1600/2900**

Sir:

In advance of prosecution on the merits, Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.